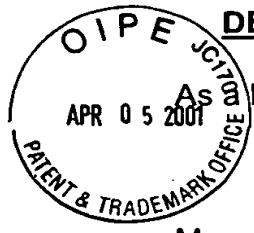


#5



**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **PACKET-BASED OPTICAL COMMUNICATIONS NETWORKS**, the specification of which:

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as

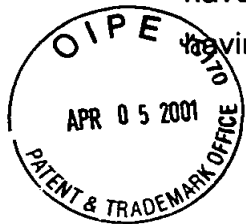
Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_ if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and



have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### PRIOR FOREIGN APPLICATION(S)

#### Priority Claimed

| <u>Country</u> | <u>Number</u> | <u>Date Filed</u> | <u>Yes</u>               | <u>No</u>                |
|----------------|---------------|-------------------|--------------------------|--------------------------|
| _____          | _____         | _____             | <input type="checkbox"/> | <input type="checkbox"/> |
| _____          | _____         | _____             | <input type="checkbox"/> | <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| <u>Application Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |
|-------------------------------|--------------------|---------------|
| _____                         | _____              | _____         |
| _____                         | _____              | _____         |

And I hereby appoint Thomas E. Smith, Registration No. 18,243, Dennis M. McWilliams, Registration No. 25,195, James R. Sweeney, Registration No. 18,721, William M. Lee, Jr., Registration No. 26,935, Glenn W. Ohlson, Registration No. 28,455, David C. Brezina, Registration No. 34,128, Jeffrey R. Gray, Registration No. 33,391, Timothy J. Engling, Registration No. 39,970, Gregory B. Beggs, Registration No. 19,286, Gerald S. Geren, Registration No. 24,528, Peter J. Shakula,

Registration No. 40,808, and Robert F.I. Conte, Registration No. 20,354, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith. It is requested that all communications be directed to Lee, Mann, Smith, McWilliams, Sweeney & Ohlson, P.O. Box 2786, Chicago, Illinois 60690-2786, telephone number (312) 368-1300.



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor : MARTYN FICE

Signature

MJ Fice

Date

13 March 2001

Country of Residence: United Kingdom

Country of Citizenship: United Kingdom

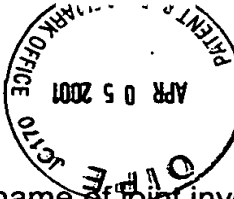
Post Office and Residence Address: 17 Primrose View

Royston

Herts

SG8 9TP

United Kingdom



Full name of joint inventor: **JONATHAN KING**

Signature

Date

9<sup>th</sup> March 2001

Country of Residence: **United Kingdom**

Country of Citizenship: **United Kingdom**

Post Office and Residence Address: **29 Amys Close**

**Saham Toney**

**Nr Watton, Thetford**

**Norfolk, IP25 7HU**

**United Kingdom**